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Dameron Jones, Examiner	Group Art Unit 1616 U.S. Patent & Trademark Office	(703) 308-4640	(703) 308-4556

FROM

SENDER	EMAIL	TELEPHONE	FAX
Diana L. Bush, Ph.D., Esq.	Dbush@Brobeck.com	(858) 720-2826	(858) 720-2555

MESSAGE

Re: U. S. Patent Application Ser. No. 09/978,454
Filed Date: October 15, 2001

Dear Examiner Jones:

Per our telephone conversation, please find the attached "Remarks" document, along with copies of previously filed First, Second, and Third Preliminary Amendments.

Diana L. Bush, Ph.D., Esq.

P R I V I L E G E D A N D C O N F I D E N T I A L

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<p>Brobeck ATTORNEYS AT LAW Brobeck, Phleger & Nordman LLP 1335 La Jolla Village Drive San Diego, California 92108-4600 PHONE (619) 592-2826 FAX (619) 592-2826 www.brobeck.com</p>					
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FROM		NAME		TELEPHONE	FAX
Diana L. Bush, Ph.D., Esq.		dbush@brobeck.com		(858) 720-2826	(858) 720-2555
MESSAGE					
<p>Re: U.S. Patent Application Ser. No. 09/078,456 Filed Date: October 16, 2001</p> <p>For our telephone conversation, please find the attached "Remarks" document, along with copies of previously filed Second and Third Preliminary Amendments.</p> <p>Diana L. Bush, Ph.D., Esq.</p>					
<p>PRIVILEGED AND CONFIDENTIAL</p> <p>All information transmitted hereby is intended only for the use of the addressee(s) named above. If the reader of this message is not the intended recipient or the employee of agent responsible for delivering the message to the intended recipient(s), please note that any distribution or copying of this communication is strictly prohibited. Anyone who receives this communication in error should notify us immediately by telephone and mail the original message to us at the above address.</p>					
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Patent
030727.0027.CON1IN THE UNITED STATES PATENT AND TRADEMARK OFFICEApplicants: Erion *et al.*

Serial No.: 09/978,454

Filed: October 15, 2001

Title: NOVEL PRODRUGS FOR
PHOSPHORUS-CONTAINING
COMPOUNDS

Group Art Unit: 1616

Examiner: Dameron Jones

Commissioner for Patents
Washington, D.C. 20231REMARKS

Dear Sir:

The Applicants wish to thank the Examiner for her consideration in returning their representative's phone call regarding the preliminary amendments that are not in the file in this matter.

As per the Examiner's request, the Applicants include herewith copies of the three preliminary amendments previously filed on January 22, 2002, January 25, 2002 and March 27, 2002 and the Auto-Reply Facsimile Transmissions from the PTO, acknowledging receipt of the amendments.

CERTIFICATE OF TRANSMISSION
(37 C.F.R. §1.8)

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Third Preliminary Amendment
Serial No. 09/978,454
Page 2 of 2

030727.0027.CON1

The Applicants respectfully request that the Examiner withdraw the Office Action mailed August 29, 2002 in order to consider all of the preliminary amendments.

Respectfully Submitted,

Date: 9/12/02By: Diana L. Bush
Diana L. Bush
Reg. No. 51,109

Brobeck, Phleger & Harrison LLP
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Brobeck, Phleger & Harrison LLP 13300 La Jolla Village Road San Diego, California 92130-2001 PHONE 619.720.2000 FAX 619.720.2555 www.brobeck.com					
PAGES TO FOLLOW COVER	9	USER ID	006656	CARD NUMBER	030727.0027.CON1
TO RECIPIENT TCI600 - Customer Service (1619)		COMPANY United States Patent and Trademark Office		TELEPHONE 800.786.9199	FAX 703.872.9346
FROM JEFFREY		EMAIL jreano@brobeck.com		TELEPHONE (858) 720-2630	FAX (858) 720-2555
MESSAGE					
RE: U.S. Patent Application Serial No.: 08/078,454 Filing Date: October 16, 2001					
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TC1600 - Customer Service (1619)	United States Patent and Trademark Office	800.786.9199	703.872.9305

FROM

SENDER	EMAIL	TELEPHONE	FAX
Jeff Beno	Jbeno@Brobeck.com	(858) 720-2630	(858) 720-2555

MESSAGE

RE: U.S. Patent Application Serial No.: 09/978,454
Filing Date: October 15, 2001

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Patent
030727.0027.CON1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Mark D. Erion, et al.

Serial No.: 09/978,454

Filed: October 15, 2001

For: NOVEL PRODRUGS FOR
PHOSPHORUS-CONTAINING
COMPOUNDS

Group Art Unit: 1619

Examiner: To be assigned

TRANSMITTAL LETTERCommissioner for Patents
Washington, D.C. 20231

Sir:

Enclosed are the following documents:

- First Preliminary Amendment; and
- Associate Power of Attorney.

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Patent
030727.0027.CON1

No fee is believed due with this submission; however, the Commissioner is authorized to charge any fee required or to credit any overpayment to our Deposit Account No. 50-1273.

Respectfully submitted,

BROBECK, PHLEGER & HARRISON LLP

Dated: 1/22/02By: Jessica R. WolffJessica R. Wolff
Reg. No. 37,261

JRW:jxb

BROBECK, PHLEGER & HARRISON LLP
12390 El Camino Real
San Diego, CA 92130-2081
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January 25, 2002					
Brobeck Attorneys at Law Donald S. Milner & Harrison, LLP 12380 El Camino Real San Diego, California 92130-2651 Phone: 858-720-2555 FAX: 858-720-2553 www.brobeck.com					
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TO RECIPIENT TC1600-Customer Service (1619)		COMPANY United States Patent and Trademark Office		TELEPHONE 800-786-9199	
				FAX 703-472-9305	
FROM SENDER Janice Crisp		EMAIL J.Crisp@Brobeck.com		TELEPHONE (858) 720-2693	
				FAX (858) 720-2553	
MESSAGE					
Re: U.S. Patent Application Serial No. 09/078,454 Filing Date: October 16, 2001					
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January 25, 2002

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FROM

SENDER	EMAIL	TELEPHONE	FAX
Janice Crisp	JCrisp@Brobeck.com	(858) 720-2893	(858) 720-2555

MESSAGE

Re: U.S. Patent Application Serial No. 09/978,454
Filing Date: October 15, 2001

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FROM		EMAIL		TELEPHONE	FAX
Diana L. Bush, Ph.D.		DBush@Brobeck.com		(858) 720-2825	(858) 720-2555
MESSAGE					
Re: U.S. Patent Application Serial No. 09/978,454 Group Art Unit 1619 Filing Date: October 15, 2001					
Please find the attached Third Preliminary Amendment in the above-referenced matter.					
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SENDER	EMAIL	TELEPHONE	FAX		
Diana L. Bush, Ph.D.	DBush@Brobeck.com	(858) 720-2885	(858) 720-2555		

MESSAGE

Re: U.S. Patent Application Serial No. 09/978,454
Group Art Unit 1619
Filing Date: October 15, 2001

Please find the attached Third Preliminary Amendment in the above-referenced matter.

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